

MANAGEMENT PECULIARITIES OF THE LABOR PROTECTION IN THE SMALL BUSINESS OF UZBEKISTAN

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Abstract

In the article we describe the management peculiarities of the labor protection in small business in Uzbekistan.

MAIN PART

The importance of the small business in the social and economic life of the country was emphasized once more in the report of Islam Karimov, the President of the Republic of Uzbekistan, “The further country modernization and renewal is the demand of the time”. The report was made in February, 13, 2009 at the meeting of the Cabinet Council, devoted to the results of the social and economic development of the country in 2009. In his report the President said: “In 2009 the problem of the further accelerated development of the services and small business sphere as the most important factor of the employment provision, the increase of the population life quality remains foreground.”

The concrete indicators of the small entrepreneurship development were presented in the report. The quantity of the operating subjects of the small business has increased by 1,9 and made 400 thousand for the past 6 years. The volume of the industrial production being manufactured by them grew by 22,0 % in 2008, while in industry as a whole the growth made 12,7 % in 2008. The small business specific weight in the country's GDP made 48,2 %. More than 76,0 % of the total population size is engaged in this sphere nowadays. Besides the creation of new working places the small business sphere forms the incomes of more than 70 % of the employed population in our conditions.

Such results have become possible thanks to stimulating measures and creating favorable business circumstances: introduction of the simplified mechanism of the state registration of small firms, preferential terms

of crediting, simplified system of taxation, accounting and accountability, reduction of supervision procedures and others.

These positive changes in the small business development might be weightier in quantitative indicators if the social and psychological and legislative side of their activity were built in the proper level.

In the conditions of the market economy when the private property became dominant, there emerged contradictions between employers and wage laborers in labor relations including the sphere of the labor protection. The employer who is an entrepreneur at the same time, is in the first place interested in getting a maximal profit, that makes him ignore creating proper conditions for the workers' labor activity. First of all it is expressed in employers' systematic infringements of the regulatory and jural acts in the field of labor conditions and protection.

The most spread infringements are: the usage of the outdated technique and technology leading to injuries and professional diseases, absence of elementary accident prevention conditions, without being provided with security facilities, working clothes and footwear from the influence of the harmful factors of the production environment, absence of the facilities on air cleansing, conditioning, dust level, gas pollution, noise, vibration abatement and so on.

These and other infringements of normative parameters of labor conditions and protection lead to the fact that there are twice more cases of injuring in small enterprises than in large state ones.

Medical posts are absent in small enterprises as a rule. There are no even certa-

in specialists with a medical education. No medical prevention is conducted, let alone the medical examination or emergency render of medical aid.

In many small enterprises the reduction of the working hours is not established; extra leaves are not given; early retirement that is stipulated by normative acts in jobs with harmful and dangerous conditions of the production.

In the small business the contractual regulation of measures on workers' protection from professional risks by including proper arrangements as a point into the labor contract while being employed, execution of the employee's and employer's duties and rights in the problems of the labor protection are not practiced. The insurance of professional risks and the impairing compensation to the worker in insurance cases are not registered.

Numerous infringements of the labor legislation may occur: sometimes a written labor contract isn't made, the documentation on workers' accountancy (orders on employment and firing) is not kept, the time-sheet is not processed, the reimbursement on medical certificates is not paid off, and employees are urged to work on holidays and overtime without the increased tariff rates and so on.

There are many reasons of the unfavorable state of the labor protection in small enterprises, but the main reasons are the following. Firstly, lack of knowledge and underestimation of the labor legislation as a whole and of the labor protection in particular by employers and leaders explaining that nobody has attracted them or they haven't wanted to learn the rules of labor safety. Secondly, the system of the labor protection management in the sphere of the small business is not perfect; the supervision functions in this field are weak.

The authorities performing a supervising and controlling activity are not numerous and they are unable to cover a great mass of small enterprises. Thirdly, the financial state of small enterprises is unsatisfactory, the efficiency is low, which doesn't allow to renew the basic assets, to use the progressive technology, to create a sanitary and everyday infrastructure, to conduct workers' medical examinations, to purchase the means of the individual protection and so on.

The state of labor conditions and protection in small enterprises can not remain at such a low level as it is nowadays. It is necessary to create the possibilities of a normal labor activity equal for everyone irrespective of the property form, enterprise size and forms of the organizational and economic activity.

The state should help all entrepreneurial structures, the small ones, in the first place, as the large enterprises can overcome emerging difficulties on their own. It is the small business which is mostly interested in a social and independent state, standing upon its interests fundamentally and consequently. The state can and should help an entrepreneur, in the result of which a community succeeds, so does a small proprietor and so does the state. If the state stands apart or puts down the entrepreneurial initiative, everybody will lose.

It is natural that it would be wrong to rest the whole responsibility upon the state. The provision with normal labor conditions and protection in small enterprises depends on the overall economic situation in the country, economic position of small enterprises themselves and on the results of the system of labor protection management as a whole for all the enterprises of all organizational and legislative forms.

The outdated production technique and technology are known to influence negatively on labor conditions. It is possible to improve the situation only at the expense of the re-equipment. The experience of developed countries shows, that with the beginning of the intensive re-equipment in the industry of Japan mortal traumatism reduced more than 4 times, in Germany – 2, in France – 1,5. Therefore to solve the problems on labor protection in the small business it is necessary to create the conditions for increasing the production economic efficiency, developing the investment processes, carrying out the system of projecting and constructing the technique which meet the demands of safety and hygiene of labor.

For carrying out the functions on labor protection completely in small enterprises there should be elective authorities, or these functions should be laid upon one of the workers who masters the knowledge in this field, or the detached specialists from the

organizations engaging in after-sales service of labor protection arrangements should be invited on the terms of the labor contract.

In the Russian Federation the regional centers of labor protection (RCLP) have begun to establish since 1996. In the beginning of 2007 their number was 105 units. Their titles are different: "Educational centre of personnel training" and others. The majority of them are not specialized only on labor protection profile but are also engaged in other kinds of activity. In the sphere of labor protection they are engaged in studying labor protection, rating working places, supplying with protection means, publishing and so on.

The fulfillment of the whole complex of obligations by the employers on labor protection should be carried out under the methodic leadership of labor protection specialists of the territorial bodies of the executive authority. They are those who know the specificity of the activity of small enterprises on their territory.

As above said, many small enterprises have no sufficient economic base for carrying out the arrangements on labor protection. Therefore it is reasonable to present the benefits on purchasing the means of the individual protection, rating working places, giving the knowledge on labor protection and so on. Regional and local authorities can be helpful in this.

For the purpose of keeping safe working conditions sometimes not straight-line actions established by normative instructions are useful but the simplest methods and arrangements. This fact is confirmed by the researches conducted in Finland. On the basis of the accumulated experience there was a conclusion concerning the most profit-making and non-profitable arrangements on labor protection for small enterprises. As an example, cleanness and order in working places, commodious approaches and passages, improvement of the system of information transmission, improvement of the atmosphere in the collective, consideration of the collective's opinion, workers' participation in management, a worker's responsibility for his own health and safety are considered to be profit-making. Reduction of noise, dustiness, an inspector's or entrepreneur's diktat, law instructions of

the labor protection organization, excessive control, observance of standards and others are considered to be non-profitable.

It is important that an employer should understand the benefit of arrangements on the improvement of labor conditions and increase of his safety in comparison with the losses connected with employees' injury and morbidity at work. The long absence of at least one worker in a small enterprise tells on the economic activity more sharply than in a large one where there is an opportunity to substitute.

It is rather important to use the mechanism of the social partnership for small enterprises: negotiation procedures, collective contracts, tariff agreements where there participate all three entities of labor relations that is an employee, an employer and the state. The conclusion of collective agreements is profitable for the employer who will know his expenditures on the creation of measures on labor protection and will try not to admit the infringements of assumed liabilities but the worker will provide with health safety and work capacity.

However, the collective agreement regulation of labor relations is used not by all enterprises of the small business. In this matter the workers do not reveal the activeness, do not react on bad labor conditions, do not refuse to work in harmful labor conditions, agreeing to get benefits and compensations or simply do not aspire to stand upon their constitutional rights for labor security.

The bodies of the executive authority on labor do not reveal their persistence in the development of partnership either, considering that it is the matter of trade unions. But trade unions in the small business are absent or they have no sufficient influence. These are only some recommendations and wishes but their realization helps to change the situation with the state of labor conditions and protection for the best, hoping that it will be profitable for both employees and employers of the small business sphere.

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